

UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi

United States of America)

v.)

Manuel Alejandro DeJesus)

Case No. 1:22-mj- 528 - 12PM)

ARTHUR JOHNSTON, CLERK

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 2, 2022 in the county of Jackson in the
Southern District of MS Southern Division, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 844(i)

Maliciously damaging or destroying, or attempting to damage or destroy, by means of fire or an explosive, any building, vehicle, or other real or personal property used in interstate or foreign commerce.

This criminal complaint is based on these facts:

See affidavit attached hereto and incorporated herein

☒ Continued on the attached sheet.

Complainant's signature

Shane E. Lynes, Special Agent, ATF&E

Printed name and title

Sworn to before me and signed in my presence.

Date:

3/22/22

Judge's signature

City and state:

Gulfport, Mississippi

Robert P. Myers, Jr., United States Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

IN THE MATTER OF THE ARREST OF
Manuel Alejandro DEJESUS

Case No. 1:22-mj- *528-RPM*

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR AN ARREST WARRANT**

I, Shane E. Lynes, being duly sworn and deposed, state the following:

1. I make this affidavit in support of an application for a warrant to arrest **Manuel Alejandro DEJESUS**. Based on my training and experience, I believe that **Manuel DEJESUS** violated Title 18, United States Code, Section 844(i): Maliciously damaging or destroying, or attempt to damage or destroy, by means of fire or an explosive, any building, vehicle, or other real or personal property used in interstate or foreign commerce.

2. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco Firearms and Explosives ("ATF"). I have been so employed since October 2007. I am currently assigned to the Gulfport, Mississippi Field Office. As an ATF Special Agent, I am responsible for conducting investigations of federal firearms laws, explosives laws and arson laws. I am a graduate of St. Leo University, the South Carolina Criminal Justice Academy, the Federal Law Enforcement Training, Center Criminal Investigator Training Program and the ATF National Academy, Special Agent Basic Training School. During my tenure with ATF, I have been involved in various degrees and capacities with numerous investigations. These investigations have involved the illegal possession of firearms by prohibited persons, the possession and use of firearms by narcotics traffickers, illegal sale, or possession of machineguns and short-barrel shotguns or rifles, arsons of structures which affect interstate commerce, the manufacturing and dealing of firearms without a license, and the manufacturing, possession, and/or use of illegal

explosive devices. A number of these investigations have included conspiratorial relationships between multiple defendants and generally involved a series or pattern of criminal activities or multiple criminal schemes. I have also participated in a number of investigations, which were conducted under a wide range of jurisdictions.

3. Because this affidavit is being submitted for establishing probable cause to support issuing a criminal complaint, I have not included every fact known to me concerning this investigation. I have submitted only those facts and circumstances that I believe are necessary to establish probable cause to support the issuance of a criminal complaint. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. The information contained in this affidavit is known to me, Agent Lynes, personally through my examination of various reports, evidence, records and/or is based on information that has been relayed to me by other law enforcement officers or individuals, as indicated below.

STATEMENT OF PROBABLE CAUSE

5. The United States is investigating an incident where a cell tower, which affects interstate and or foreign commerce and is owned by American Tower, was maliciously damaged by a fire, in violation of Title 18, United States Code, Section 844(i).

6. On March 2, 2022, at approximately 0929 hours members from the Moss Point, MS Fire Department responded to a call of a possible transformer on fire. Upon arrival at the scene, they discovered it was not a transformer on fire but a generator inside a locked cell tower fence. The fire was extinguished. Further investigation at the scene revealed an unknown person pulled the power meters and threw them over the fence, removed parts from the generator

and intentionally cut numerous wires. Several bottles with rags, some with fire damage and some without fire damage, were placed at different locations within the scene. The Fire Department requested the Moss Point Police Department respond. This cell tower is located behind the Comfort Inn and the Cracker Barrel Old Country Store.

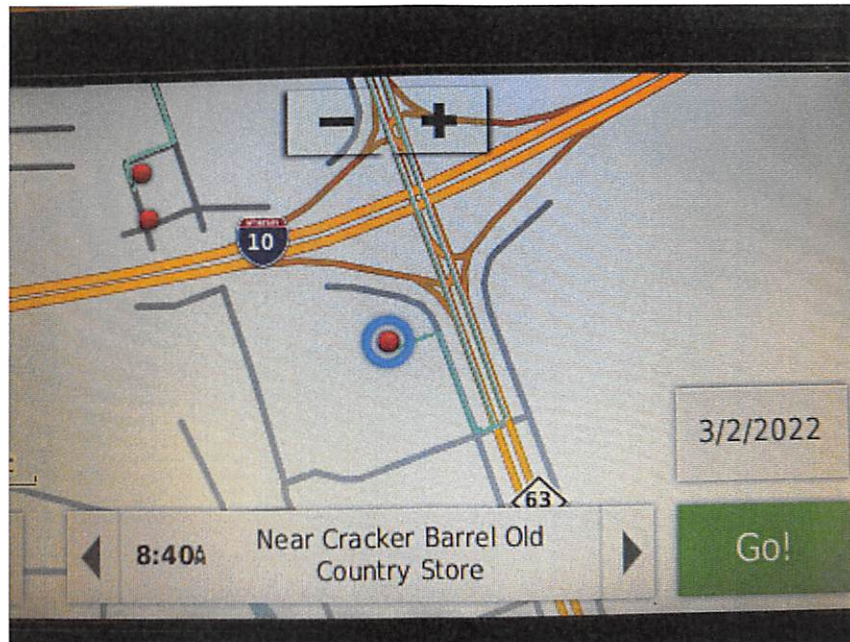


7. On March 2, 2022, Agents from Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the Federal Bureau of Investigation (FBI) responded to the scene. Also responding to the scene were wireless and utility company representatives. The scene was documented, photographed, and processed, evidentiary items were collected and sent to the ATF Laboratory and the Mississippi State Crime Laboratory.

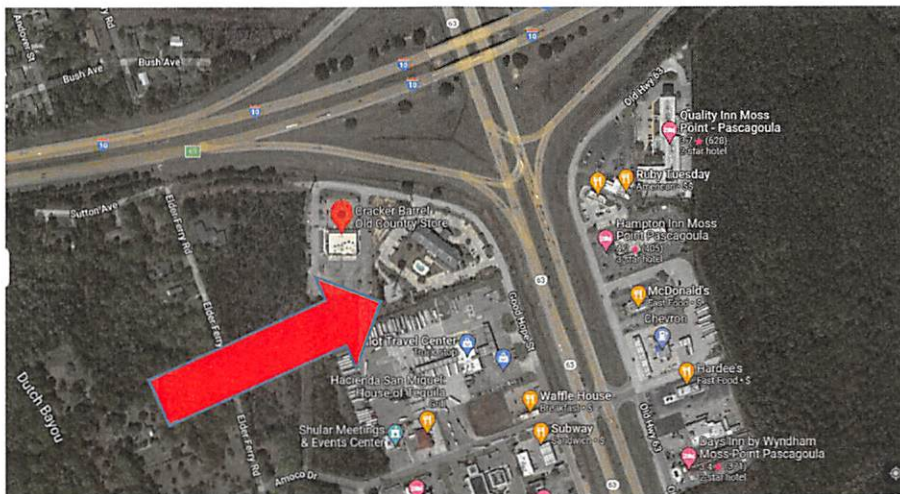
8. On March 8, 2022, this affiant assisted the Pascagoula Police Department with the execution of a State of Mississippi, County of Jackson Search Warrant on a 2009 Dodge Ram 1500 truck registered to **Manuel DEJESUS**. Several items were found in the vehicle to include cable/wire cutters, GPS device and a sign with name American Tower written on it (photo of sign below).



9. On March 08, 2022, a Detective from the Pascagoula Police Department executed a State of Mississippi, County of Jackson Search Warrant on the GPS device found inside the vehicle. The below photograph is a screen shot on the device showing a destination on March 2, 2022, near the Cracker Barrel with an arrival time of 0840 hours.



Below is a screen shot by this affiant of Google maps with an arrow showing the cell tower.



10. On March 17, 2022, Agents obtained surveillance video footage from a source near the above described tower. The video shows a vehicle matching the appearance of **Manuel DEJESUS's** registered vehicle pulling into the Comfort Inn parking lot at approximately 0840 hours. On the video you see smoke beginning to show at approximately 0926 hours. After the smoke begins to show the vehicle matching the appearance of **Manuel DEJESUS's** registered vehicle pulls out of the Comfort Inn parking lot.

11. On March 21, 2022, a Mississippi Crime Laboratory Latent Print Examiner confirmed a latent print was found on a part of the generator that was removed and thrown over the fence from the tower/fire scene. The examiner stated the latent print was compared to the known prints of **Manuel DEJESUS** and is a match to **Manuel DEJESUS**.

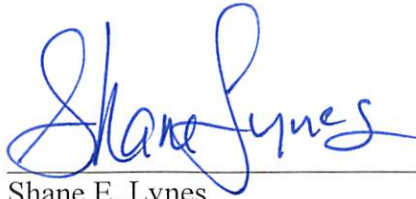
12. ATF Certified Fire Investigator O'Brien examined photographs of the scene of the fire, spoke to the affiant via phone while at the scene as well as reviewed related details subsequently gathered by investigators. He determined that the fire was intentionally caused and is classified as incendiary.

13. This tower site requires compliance by the Federal Aviation Administration and the Federal Communication Commission (FCC) with an FCC Antenna Structure Registration number of 1225252. This tower site is owned by American Tower, who leases space to different companies. A representative of one of those companies told this affiant they get their wires from an out of state source, affecting interstate commerce. Therefore, this cell tower in Moss Point is an instrument of interstate commerce.

CONCLUSION

14. Accordingly, your affiant submits that there is probable cause to believe that **Manuel Alejandro DEJESUS**, violated Title 18, United States Code, Section 844(i), in that he maliciously damaged or destroyed, or attempted to damage or destroy, by means of fire or an explosive, any building, vehicle, or other real or personal property used in interstate or foreign commerce.

Respectfully submitted,



Shane E. Lynes
Special Agent
Bureau of Alcohol, Tobacco, Firearms & Explosives

Sworn to and subscribed before me this 22nd day of March 2022.


United States Magistrate Judge